

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:12-CR-17-1-F

UNITED STATES OF AMERICA)
)
)
)
v.) ORDER of
) FORFEITURE
EMMANUEL WALLACE, III)
Defendant.)

WHEREAS, pursuant to the entry of the Consent to Forfeiture [DE-29] entered into by the defendant, EMMANUEL WALLACE, III, individually and through his counsel of record, Jason L. Keith, and Assistant United States Attorney John Bennett, and filed on January 2, 2013; and the Memorandum of Plea Agreement entered into by the defendant and filed on April 23, 2012 [DE-17], it is ORDERED that the following property is forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C), as made applicable by 28 U.S.C. § 2461(c); to wit: **gross proceeds in the amount of one million two hundred ten thousand, four hundred and forty-four dollars & no cents in United States currency (\$1,210,440.00)**; and

WHEREAS, by virtue of said Consent to Forfeiture and Memorandum of Plea Agreement, the United States now is entitled to possession of said property, pursuant to FED. R. CRIM. P. 32.2(b)(3);

It hereby is ORDERED:

1. That based upon the Memorandum of Plea Agreement [DE-17] as to the defendant, EMMANUEL WALLACE, III, the United States hereby is authorized to seize the **gross proceeds in the amount of one million two hundred ten thousand, four**

hundred and forty-four dollars (\$1,210,440.00) in United States currency, and that currency is FORFEITED to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853n, as allowed by FED. R. CRIM. P. 32.2(b)(4).

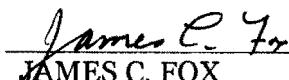
In addition, as the currency is not available for seizure, the Clerk of Court is DIRECTED to enter a money judgment against the defendant in the amount of one million two hundred ten thousand, four hundred and forty-four dollars (\$1,210,440.00), as allowed by Fed. R. Crim. P. 32.2.(b)(2)(A). In accordance with FED. R. CRIM. P. 32.2(b)(4)(A), this order shall become final as to the defendant upon entry.

2. It further is ORDERED that the Clerk of Court shall incorporate into the defendant's criminal Judgment and Commitment a specific reference to this Order of Forfeiture and the Judgment entered hereon, as required by FED. R. CRIM. P. 32.2(b)(4)(B).

3. In addition, pursuant to FED. R. CRIM. P. 36, this court's oral pronunciation of Wallace's sentence on January 2, 2013, hereby is CORRECTED to include specific reference to the parties' Consent to Forfeiture [DE-29], the existence of a nexus between the property to be forfeited and the offense of conviction, and to this Order of Forfeiture.

SO ORDERED.

This, the 8th day of January, 2013, *nunc pro tunc* for January 2, 2013.



JAMES C. FOX
Senior United States District Judge